

EXHIBIT

(H) IN THE CIRCUIT COURT OF COVINGTON COUNTY ALABAMA
 LARRYIE EARL JONES, .
 DEFENDANT, .
 V. . CASE No. CC-2003-187-418-41
 STATE OF ALABAMA, . CC-2004-347.
 PLAINTIFF. .

MOTION FOR PRE-TRIAL DETERMINATION OF ADMISSIBILITY OF EVIDENCE

COME NOW THE DEFENDANT MOVE THIS HONORABLE COURT FOR PRE-TRIAL DETERMINATION OF ADMISSIBILITY OF EVIDENCE AND AS THEREFORE STATES THE FOLLOWING:

1. THE DEFENDANT AGGRIEVED BY AN ALLEGEDLY UNLAWFUL SEARCH AND SEIZURE AND MOVE THE COURT TO SUPPRESS FOR USE AS EVIDENCE ANYTHING SO OBTAINED.
2. ORDER THAT THE QUESTION OF THE ADMISSIBILITY OF ANY SPECIFIED EVIDENCE BE SUBMITTED FOR PRE-TRIAL DETERMINATION
3. HEARING BE HELD SO THE COURT SHALL RECEIVE EVIDENCE ON ANY ISSUE OF FACT NECESSARY TO DETERMINATION OF THIS MOTION.
4. FOR GOOD CAUSE SHOWN THE COURT MAY ORDER THAT ANY PARTY, WITNESS, OR ATTORNEY REFRAIN FROM ASKING CERTAIN QUESTIONS, GIVING CERTAIN ANSWER OR IN ANY MANNER DIRECTLY OR INDIRECTLY REFER-

EXHIBIT

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Ring to or ~~in any way~~ ALLUDING to ANY OTHER
WISE INADMISSIBLE FACT MATTER, OR CIRCUMSTAN
DURING THE COURSE OF TRIAL IN THE PRESENCE
OF JURORS OR THE VENIRE.

WHEREFORE THE DEFENDANT PRAYS THAT THIS HONOR
ABLE COURT GRANT HIS MOTION AS A MATTER
OF LAW AND A HEARING BE HELD AT THE
EARLIEST POSSIBLE TIME.

RESPECTFULLY SUBMITTED THIS THE 6 DAY OF
MAY 2005

Sargie Earl Jones
DEFENDANT

CERTIFICATE OF SERVICE

I CERTIF THAT A COPY OF THE FOREGOING
PLEADING HAS BEEN SERVED ON THE STATE
D.A./OR FOR ALL PARTIES TO THIS PROCEED
BY MAILING THE SAME TO EACH BY FIRST
CLASS MAIL UNITED STATE MAIL PROPERLY
ADDRESS AND POSTED PREPAID OR BY
PERSONAL SERVICE ON THIS THE 6 DAY
OF MAY 2005.

Sargie Earl Jones
DEFENDANT.